

trustee has been excused from giving bond by the instrument creating the trust. Where a life tenant or the holder of a defeasible estate is the owner of the reversion and rent, the court may, instead of directing the life tenant or holder of the defeasible estate to execute such deed and receive the redemption money, appoint a trustee to execute the deed and to receive the redemption money. The court costs of the proceeding, including the expenses of obtaining a corporate bond (the amount of such expense being subject to the direction of the court), shall be paid out of the money received for the redemption of the rent. No purchaser shall be required to see to the application of the purchase money.

This section is not in conflict with the federal or state constitution. Title of act. This section applies to a ground rent the title to only part of which is held by a trustee. Purpose of this section. *Kingan Packing Assn. v. Lloyd* 110 Md. 621.

As to when ground rents are redeemable, see art. 21, sections 92 and 93, and art. 53, sec. 24.

As to the redemption of ground rents owned by infants, see art. 93, sec. 171

1906, ch. 534.

251. Whenever by any will hereafter probated or by any deed or other instrument hereafter executed a power to sell, mortgage, lease or otherwise dispose of real or personal estate shall be given to any one or more trustees, executors or other fiduciary officers, such power, whether discretionary or otherwise, shall be construed to be appurtenant to the fiduciary office and shall pass to and be exercisable by any surviving trustees, executor or other fiduciary, or by any successor in the office however appointed, unless an intention to the contrary is expressly declared in such will, deed or other instrument.

See art. 93, sec. 297.

This section is a duplicate of art. 93, sec. 296.

Witnesses and Testimony.

1904, art. 16, sec. 234. 1888, art. 16, sec. 216. Rule 36.

252. Except where testimony is to be taken beyond the limits of the State, or beyond the limits of the county or city for which the court exercises jurisdiction, no commissions to take testimony shall issue. The circuit court for each of the counties and the supreme bench of Baltimore city shall each appoint two or three experienced and competent examiners, who shall, upon qualification, be officers of the court; and for any special reason, a special examiner may be appointed. These examiners shall have authority to issue subpoenas for witnesses, administer oaths, notify parties of the time of their sittings, and to preserve order and decorum during their sessions. Any person refusing to obey subpoenas issued by such examiners, or who shall be guilty of violating the order and proper decorum of the sessions of said examiners while in the discharge of their duties shall be reported by the examiners, together with the facts of the case, to the court; and upon hearing, the court, if satisfied of the facts as reported, and that the party was guilty of the matter charged, shall punish the party so offending. Such examiners shall be entitled to receive four dollars per day, for each and every